

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
HEATHER ELECTA HALWIG  
GHARIBIAN,  
Defendant.

Case No. 21-cr-00351-JSW-1

## **ORDER REGARDING MOTION TO SUPPRESS**

Re: Dkt. No. 48

On April 5, 2022, the Court heard oral argument on the pending motion to suppress. Dkt. No. 48. Assuming that the Court concludes that the existing record before it is inadequate to support a finding that the discovery of evidence on the Defendant’s phone would be inevitable using GrayKey, the Court invites the Government to submit factual information, preferably from either GrayKey or a qualified computer forensics expert, as to the method and likelihood of extraction used in this case: using the GrayKey technology available on August 25, 2021 to extract the data from an iPhone 8 Plus operating on iOS version 14.4 in both “Before First Unlock” and “After First Unlock” modes. The Court welcomes any filing by no later than 14 days from the date of this order. If the Government does submit a filing, the Defendant may submit factual information in rebuttal by no later than 7 days from the date of the Government’s submission.

## IT IS SO ORDERED.

Dated: April 5, 2022

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JEFFREY S. WHITE  
United States District Judge

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JEFFREY S. WHITE  
United States District Judge